

AGAWAM CONSERVATION COMMISSION
June 23, 2011

MEMBERS PRESENT:

Henry A. Kozloski, Chairman
Sheryl Becker
Magda Galiatsos
Fred Harpin
Mark Soticheck

MEMBERS ABSENT:

Jill Messick

ALSO PRESENT:

Deborah S. Dachos
Pamela R. Kerr

Mr. Kozloski called the meeting to order at 6:30 PM.

1. PUBLIC HEARING – Notice of Intent – South Street – Herzog

Joe Petronino of Environmental Services prepared this NOI and was in attendance along with the homeowners, Tom and Susan Herzog. Mr. Petronino explained that the Herzog's would like to demolish their existing home on South Street and rebuild on the same property in a different location. The property contains wetlands, riverfront and floodplain. Besides the existing home, there are two barns, a shed, a pavilion and a gazebo on the site. One shed will remain and the pavilion and gazebo will be relocated. The two barns will be demolished. The existing home is approximately 15' from the road and the new home will be located further away from the riverfront area. The work under this NOI is considered "redevelopment". He stated that part of the proposed mitigation will be to let the rear yard grow into a meadow (it is presently a mowed lawn) and the existing chainlink fence will be removed. Also, they are proposing twelve native plantings at the top of the bank and the work envelope will be seeded in with a native mix. They would like to build the new home first and live in the existing home while the work is being done. DEP issued comments and a file number. A check list for evaluating riverfront redevelopment projects was also provided by DEP. Mr. Petronino stated that he has prepared a response to the DEP comments and will provide a copy to the commission.

Mary Roncalli-Langone – Mark Drive asked if this property contains wetlands or riverfront area. Mr. Kozloski stated both and that this is a redevelopment project

Upon discussion, the members agreed to continue the hearing to the end of the meeting to determine if a site visit will be made.

Motion was made by Mr. Soticheck and seconded by Ms. Becker to continue the public hearing for 21 South Street to the end of the meeting.

VOTE 5-0

2. PUBLIC HEARING - Notice of Intent – School Street – Town of Agawam

Rich Bertoli and Dan Buttrick of Fuss & O’Neal were in attendance to present this Notice of Intent for a proposed bike path loop. Mr. Bertoli explained that the proposal is to extend the existing bike path on River Road to Main Street then from Main Street down School Street and connect to the existing path on River Road. He went on to say that the extension along River Road will include widening of the pavement from 6” to 1.5’ and to mill and overlay. The path along School Street will include widening of School Street from Main Street to Zach’s Estates and then it will become an off-road 10’ wide path 5’ off the roadway. The area of School Street to be widened will provide for two 11’ travel lanes and 4’ shoulders. The off road path will run along the top of the bank of the Cote property (town owned land) and will be supported with a retaining wall. Also in this area of the path there will be two overlook areas as well. The path will cross over School Street by the pump station and connect to the School Street Park bike path. Dan Buttrick explained that resource areas along this project include floodplain, perennial stream and riverfront area, and vernal pools (not certified).

Kathy Kocot of 73 Fernwood Drive asked if it was normal to widen both sides of a roadway for a bike path. Mr. Bertoli explained that it depends on the Right Of Way (ROW) layout and that in this case they started in the middle of the layout to measure and widened on each side where needed.

Marjorie Merchant, 303 School Street asked if any poles would be moved. Mr. Bertoli stated yes.

Ben Deliso, 932 River Road asked if this proposal would create an increase in water flow by his house. He stated that since the School Street Park was built, the 14” pipe that crosses under River Road is often plugged and not maintained. Mr. Kozloski stated that he was recently in that area with the Engineering Department and noticed it appeared to be possibly plugged. He stated that the Engineering Department was going to notify the state as River Road is a state road. He will follow up on that. He also stated that he witnessed the water coming back from the River as this area is a floodplain. Mr. Bertoli stated that the catch basins are more than adequate to handle the drainage and that the water from School Street will be contained in School Street.

Sylvia Deliso, 932 River Road stated that the banks are narrow along the Cote property on School Street and questioned whether it could handle a retaining wall. Mr. Bertoli showed a cross section of the proposed retaining wall and stated that the design is more than adequate for this area. He stated that the wall will be 12’ at it highest point

Mr. Soticheck stated that the traffic is heavy on School Street and asked if there would be a space between the existing curb and the sidewalk. Mr. Bertoli stated that this design meets the classification criteria and stands for Massachusetts Department of Transportation (DOT) and was designed to have the least amount of impacts to existing residential properties.

Ms. Dachos explained that the traffic situation on School Street presently is dangerous and not acceptable and that a presentation was made at the 25% design public hearing which explained that this design creates the least amount of impacts on the residents. She went on to say that the only alternative to this design under the Federal Highway Standards was to provide a dedicated path on existing properties.

Ann Marie Legrand, 875 River Road asked if the ponds behind her would be affected or whether trees would need to be cut for the overlook areas. Mr. Buttrick explained that the ponds will not be affected and that the only clearing that will be done will be on the embankment and that no clearing is proposed for vista views at the overlooks.

Roberta Doering, River Road asked if the pond would be a safety issue if that area is opened up. She is concerned that it will tempt children. Mr. Buttrick stated that there won't be easy access to the pond area and it is somewhat obscured with a stream and wetland in between. Mrs. Doering then asked about the height of the wall. Mr. Buttrick stated that the wall will be at the same level as the roadway embankment and that the height varies. He stated that there will also be a fence along the retaining wall.

Sylvia Deliso then asked/stated this won't affect the River Road houses? Mr. Bertoli stated that all bike loop drainage will go where it goes now with no additional impacts.

Dale Hall stated that rubbish has accumulated in this area and asked if it will be removed during the cut and fill. Mr. Bertoli stated yes.

Mr. Buttrick stated that at the perennial stream crossing there is a culvert under School Street with a concrete headwall. He stated that the retaining wall will be incorporated into that design and there will be no impacts to the flows.

Mr. Bertoli explained that the retaining wall will be a versa-lock wall with geotextile (similar design has existing bike path retaining wall). He also stated that there will be a fence along the top of the wall and one to separate and protect the path from vehicles.

Mrs. Merchant asked exactly where the two overlook areas will be. Mr. Bertoli stated there will be one near 369 School Street and one near 439 School Street.

Ann Marie Legrand questioned the safety of the path crossing School Street to the Park and then back at River Road. Mr. Bertoli stated there will be advanced warnings and crosswalk signs and that there is ample sight distance in that area.

Sylvia Deliso stated that when crossing River Road speed is a big factor. Mr. Bertoli stated that River Road is a state concern and the only work they are proposing on River Road as part of this project is the widening from 6" to about 12" south of Borgatti Field and no poles will need to be moved on River Road.

Dick Langone, Mark Drive asked if the sidewalks would be pitched. Mr. Bertoli stated that they are not proposing any changes to sidewalks on River Road other than minor repairs and that the new path will be pitched towards the road.

Mr. Harpin left the meeting at this time.

Mr. Kozloski explained that this public hearing will be continued as the Commission has not yet received a file number from DEP. Mr. Buttrick stated that the draft ENF is currently being reviewed by DOT. Ms. Dachos explained that the draft ENF was submitted approximately one year ago, however it is her understanding that DOT only reviews projects that have funding. She went on to say that the Town would like to have state or federal funds for the project by 2015 or so. Mrs. Deliso asked what if the topography changes? Ms. Dachos explained that an Order of Conditions issued by the Conservation Commission will be good for three years and the Commission can extend it for up to three years. She went on to say that the Town must obtain easements for the shared use path and the conservation commission area.

Motion was made by Mr. Soticheck and seconded by Ms. Galiatsos to continue the public hearing on the Notice of Intent for the Bike Loop to July 14, 2011.

VOTE 4-0

3. PUBLIC HEARING CONT. – Mark Drive – Langone

Joe Petronino of Environmental Services explained that DEP has issued a file number for this submittal which includes the construction of a duplex within the outer riparian zone. There is a dry well in place to handle runoff from the site. Mr. Langone has planted arborvitae along the top of the bank and he would like to keep those plantings and add another row of native species down-gradient to the arborvitae or provide monumentation. He is also proposing to plant five trees to mitigate for the riparian zone disturbance. He stated that the area at the top of the embankment is floodplain. Mrs. Langone stated that they planted 300 arborvitae and have no problem with an additional row of blueberry bushes. The members agreed to make a site visit to determine where additional plantings could go.

Motion was made by Mr. Soticheck and seconded by Ms. Becker to continue the public hearing for Langone on Mark Drive to July 14, 2011 and to meet on-site on July 6th at 10:00 AM to determine the location for additional plantings.

VOTE 4-0

At this time the Commission once again discussed the South Street Notice of Intent by Herzog. The members had discussed holding a special meeting to move the project along since the last meeting was canceled due to a power outage and therefore held them up an additional two weeks. Ms. Dachos reminded the Herzog's that they must go to the Historical Commission for approval to demolish the house and barns as the property is on the Town's Historic Inventory. In conclusion, it was agreed to continue this hearing to the next meeting (July 14th).

Motion was made by Mr. Soticheck and seconded by Ms. Galiatsos to continue the public hearing for the Herzog Notice of Intent on South Street to July 14th.

VOTE 4-0

4. CERTIFICATE OF COMPLIANCE – Tracy Drive – Town of Agawam

Mr. Kozloski stated that he will make this inspection tomorrow.

Motion was made by Mr. Soticheck and seconded by Ms. Becker to issue a Certificate of Compliance to the Town of Agawam for work on Tracy Drive pending a favorable inspection by a Commission member.

VOTE 4-0

5. ENFORCEMENT ORDER updates

Mr. Kozloski stated that he will be inspecting 43 South West Street and the Tuckahoe property on South West Street tomorrow.

Motion was made by Mr. Soticheck and seconded by Ms. Becker to lift the Enforcement Orders on 43 South West Street and the Tuckahoe property on South West Street pending a favorable inspection by a Commission member.

VOTE 4-0

Main Street – Drenzek

A letter was sent to the property owner as a result of a letter she submitted to the Commission in response to the Enforcement Order that was issued. The letter stated that Commission members would meet on-site with her to determine where restoration plantings must be placed.

92 ½ Paul Revere Drive – Mr. Kozloski inspected this lot and recommended that the Enforcement Order be lifted.

Motion was made by Mr. Soticheck and seconded by Ms. Galiatsos to lift the Enforcement Order issued to Babinov at 92 ½ Paul Revere Drive as the restoration work has been completed.

VOTE 4-0

Robin Ridge – Nothing new to report. The developer has been notified that the Order of Conditions will expire in August as well as the Performance Agreement through the Planning Board.

6. EMERGENCY ORDER (ratify) – 28 Cesan Street

Mr. Kozloski explained that he issued this Emergency Order for the removal of a tree that had fallen over a stream during the recent tornado.

Motion was made by Mr. Soticheck and seconded by Ms. Becker to ratify the Emergency Order issued for the removal of a tree at 28 Cesan Street.

VOTE 4-0

EMERGENCY ORDER (ratify) – Robinson Park – DCR

Mr. Kozloski stated that he issued this Emergency Order and used language provided by DEP for the clean up of trees that came down during the recent tornado.

Motion was made by Mr. Soticheck and seconded by Ms. Galiatsos to ratify the Emergency Order issued to DCR for work in Robinson Park.

VOTE 4-0

Optasite Towers- Main Street

Mr. Kozloski stated that a site visit has been scheduled for next Wednesday with the applicant's engineer.

7. APPROVAL OF MINUTES – May 26, 2011

Motion was made by Mr. Soticheck and seconded by Ms. Galiatsos to approve the minutes of May 26, 2011 as written.

VOTE 4-0

The meeting adjourned at 8:30 PM.